



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION  
8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001  
[www.archives.gov](http://www.archives.gov)

March 4, 2019

Mackenzie Farkus  
MuckRock News DEPT MR 68396  
411A Highland Avenue  
Somerville, MA 02144

Dear Mackenzie Farkus:

This is in response to your February 4, 2019 Freedom of Information Act request (RD-60393) for information about any “all documents related to the AIDS Coalition to Unleash Power, otherwise known as ACTUP”. We received your request on February 12, 2019.

While we make reasonable efforts to assist researchers with their work, as a matter of policy, the National Archives is staffed to assist researchers with their work, including but not limited to pointing researchers to helpful finding aids to begin their research. However, given the limitations on staff resources, we do not generally conduct substantive research in response to requests filed under the Freedom of Information Act, except in circumstances where documents are easily locatable.

You did not specify which agency or agencies of the United States Federal Government may have records relevant to your search, so we began by searching for “AIDS Coalition to Unleash Power”, “ACTUP”, and “ACT UP” (all in quotations marks) in our online catalog. The majority of the results returned do not appear relevant to your search based on the information you’ve provided to us. You can replicate our search in our online catalog to personally assess those results. Some of the items are online in whole or in part.

Some of the search results potentially relevant to your research are within the holdings of the William J. Clinton Presidential Library and Museum. We have forwarded your request to that office. Please expect a separate response from them regarding their holdings.

Our search returned two potentially responsive items within the holdings of our office, the Textual Reference unit in College Park, MD:

[Care and Research Subject File; Lavender Hill - Act Up](#) is in [Presidential Commission on the Human Immunodeficiency Virus Epidemic](#) records. This file is 147 pages long and the records within it have no access restrictions on them. The file does contain potentially copyrighted material, but that will not affect the public’s ability to access it.

[\[Thornburgh, Richard\] Radical Groups - Act-Up 1991](#) is in the [Subject Files of the Attorney General, 1974 - 1993](#). The 5 pages in this file were reviewed and determined to not contain any information that cannot be released for public review.

The records you requested are available for your examination. You or your representative may view this material in the research room at [The National Archives at College Park](#). If you wish to order copies of the records described on the enclosed NATF Form 72, please follow the

instructions on the form and return a copy of the form with your remittance. Please note that the number under quantity indicates the number of pages of the file or files being offered. ALSO IF YOU CHOOSE DVD INSTEAD OF PAPER, THE QUALITY OF THE SCANNED IMAGE WILL BE AT 300 dpi. If you wish to pay by using a MasterCard, VISA, Discover, or American Express credit card, you should return a copy of the enclosed NATF Form 72 (annotated with type of credit card, account number, expiration date, and your signature) to the National Archives Trust Fund, Cashier (BCT), The National Archives at College Park, 8601 Adelphi Road, College Park, MD 20740-6001. Your account will be verified before copies are shipped. Please allow 30-60 days for delivery of your order. Please do not send any remittance to this office. At 80 cents per page, it will cost \$121.60 to copy the complete contents of both files.

You asked for a waiver of the fees normally charged for providing researchers with copies of archival records. The fee and fee waiver provisions of the Freedom of Information Act (FOIA), however, do not apply to archival records. The FOIA fee section states that "Nothing in this subparagraph shall supersede fees chargeable under a statute specifically providing for setting the level of fees for particular types of records." [5 U.S.C. 552(a)(4)(vi)]. Accordingly, the NARA fee statute, 44 U.S.C. 2116(c), and implementing regulations at 36 C.F.R. Part 1258,, apply exclusively to your request, under which the National Archives does not waive reproduction charges for individual requesters. Our inability to grant you the requested fee waiver does not constitute a denial for the purposes of the FOIA.

We do not consider this a denial of your FOIA request because we cannot determine without more specific information whether any other records responsive to your request might reside in our holdings and the records we could identify are already open and available for public review. However, if you are not satisfied with our action on this request, your options for appeal and dispute resolution are outlined in the attached enclosure.

We regret that we could not be of more assistance to you. If there are any further questions, the staff of the Archives II Reference Section would be pleased to help. We may be contacted by writing to the Archives II Reference Section (RDT2), The National Archives at College Park, 8601 Adelphi Road, College Park, MD 20740-6001.

Sincerely,

EUGENE F. MORRIS  
Archives II Textual Reference Branch (RDT2)  
National Archives at College Park, MD